

REMARKS

This Application has been carefully reviewed in light of the Official Action mailed June 16, 2004. In order to advance prosecution of the present Application, Claims 1, 7-9, 11, 13, and 20 have been amended. Applicant respectfully requests reconsideration and favorable action in this Application.

Claims 1-5 and 13-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sheikh, et al. in view of Garcen, et al. Independent Claims 1 and 13 recite in general a peer transaction path being separate from a host transaction path to allow communications between network modules without interfering with the host processor communications. By contrast, the Sheikh, et al. patent requires that all communications with peer devices be through a fabric controller for both data and control traffic on the same bus for host and peer devices. Thus, the Sheikh, et al. patent does not provide communications between modules on a separate peer transaction path to avoid interfering with host processor communications as provided in the claimed invention. The Garcen, et al. patent merely provides a host, a switching module, and a plurality of I/O modules. The combination that would result from placing the switching module of the Garcen, et al. patent into the computer system architecture of the Sheikh, et al. patent would still lack a peer transaction bus separate from a host transaction bus that allows network modules to communicate without interfering with host processor communications as provided by the claimed invention. Support for the above recitation can be found at page 7, lines 16-19, of Applicant's specification. Therefore, Applicant respectfully submits that Claims 1-5 and 13-20 are patentably distinct from the proposed Sheikh, et al. - Garcen, et al. combination.

Claims 6 and 10 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sheikh, et al. in view of Garcen, et al. and further in view of Wooten, et al. Independent Claim 1, from which Claims 6 and 10 depend, has been shown above to be patentably distinct from the proposed Sheikh, et al. - Garcen, et al. combination. Moreover, the Wooten, et al. patent does not include any additional disclosure combinable with either the Sheikh, et al. patent or the Garcen, et al. patent that would be material to patentability of these claims. Therefore, Applicant respectfully submits that Claims 6 and 10 are patentably distinct from the proposed Sheikh, et al. - Garcen, et al. combination.

Applicant notes with appreciation the allowability of Claims 7-9, 11, and 12 if placed into appropriate independent form. Claims 7-9 and 11 have been amended into proper independent form as suggested by the Examiner. Therefore, Applicant respectfully submits that Claims 7-9, 11, and 12 are in condition for allowance.

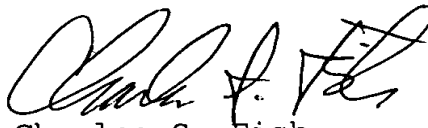
Attached herewith for consideration by the Examiner is an Information Disclosure Statement. Applicant respectfully requests the Examiner to consider the documents listed therein during prosecution of this Application and provide an indication that the documents have been considered.

CONCLUSION

Applicant has made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other apparent reasons, Applicants respectfully request full allowance of all pending Claims.

The Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorneys for Applicants

  
Charles S. Fish

Reg. No. 35,870

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CORRESPONDENCE ADDRESS:

2001 Ross Avenue, Suite 600  
Dallas, TX 75201-2980  
(214) 953-6507  
Customer Number: 05073